

Patent
Attorney's Docket No. 019519-280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Nobuyuki KITA

Application No.: 09/739,006

Filed: December 19, 2000:

**For: HEAT-SENSITIVE LITHOGRAPHIC
PRINTING PLATE PRECURSOR**

Group Art Unit: 1752

Examiner: B. Gilliam

Confirmation No.: 2793

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following extension of time is requested to respond to the Official Action dated March 20, 2003 :

FEE

<input type="checkbox"/> one month to		<input type="checkbox"/> \$55.00 (2251)	<input type="checkbox"/> \$110.00 (1251)
<input checked="" type="checkbox"/> two months to	August 20, 2003	<input type="checkbox"/> \$205.00 (2252)	<input checked="" type="checkbox"/> \$410.00 (1252)
<input type="checkbox"/> three months to		<input type="checkbox"/> \$465.00 (2253)	<input type="checkbox"/> \$930.00 (1253)
<input type="checkbox"/> four months to		<input type="checkbox"/> \$725.00 (2254)	<input type="checkbox"/> \$1,450.00 (1254)
<input type="checkbox"/> five months to		<input type="checkbox"/> \$985.00 (2255)	<input type="checkbox"/> \$1,970.00 (1255)

☐ The shortened statutory period has been reset by an Advisory Action dated

☒ An extension fee in the amount of \$ 410.00 is enclosed.

[] Charge \$_____ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

18/07/2003 EFLORES 00000026 09739006

11 FC:1252

410.00 DP

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: August 6, 2003

By:

Robert G. Mukai
Registration No. 28,531

**P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620**

Adjustment date: 05/20/2005 SDIRETA1
08/07/2003 EFLORES 00000026 09739006
01 FC:1252 -410.00 DP

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((05/03))

05/20/2005 SDIRETA1 00000009 09739006

01 FC:1252 410.00 OF



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DIVISION of Patent

Attorney's Docket No. 019519-280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2005 APR -5 AM 12:21

In re Patent Application of

Nobuyuki KITA

Application No.: 09/739,006

Filed: December 19, 2000

For: HEAT-SENSITIVE LITHOGRAPHIC
PRINTING PLATE PRECURSOR

) Group Art Unit: 1752
)
) Examiner: B. Gilliam
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) Confirmation No.: 2793
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Request for Refund

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.26 and 1.28, Applicants respectfully request a refund in the amount of \$290.00, in connection with the above-identified application, for the following reasons:

On September 9, 2003, a request for continued examination, an Amendment, and a petition for third month extension of time was filed along with the total payment of \$1,280.00 (\$750.00 for the continued examination fee and \$530.00 for the two month petition for extension of time fee). A copy of the stamped post card, papers as filed and the cancelled check is enclosed for your convenience.


The fee paid on September 10, 2003 was in error because of the above mentioned fact and a refund in the amount of \$290.00 is requested.

The Commissioner is hereby authorized to credit this refund to Deposit Account No. 02-4800.

Any questions or comments that arise from this paper should be directed to the undersigned. Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: April 1, 2005

By: 
Platon N. Mandros
Registration No. 22,124

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

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Inventor: Nobuyuki KITA
Docket No.: 019519-280

APR 01 2003

Work. Atty. RGM/gas

App. No. 09/739,006
Date: September 9, 2003

The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

3

- ☒ Amendment or Response
- ☐ Preliminary Amendment
- ☐ Reply Transmittal Letter
- ☒ Petition for a Third Month's Extension of Time
- ☐ Submission of Formal Drawings w/ sheet(s) of drawings (Fig(s). 1-)
- ☐ Request for Approval of Drawing Changes w/ sheet(s) of red ink drawings
- ☐ Notice of Appeal
- ☐ Brief for Appellant
- ☐ Request for Oral Hearing
- ☐ Reply Brief
- ☐ Response to Restriction Requirement or Election of Species
- ☐ Terminal Disclaimer

- ☐ Certificate Under 37 C.F.R. § 3.73(b)
- ☐ Transmittal Letter for Missing Parts of Application
- ☐ Executed Declaration/Power of Attorney
- ☐ Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)
- ☐ Claim for Convention Priority w/ certified copy(s)
- ☐ Information Disclosure Statement w/ document(s)
- ☐ Information Disclosure Citation (PTO-1449)
- ☐ Information Disclosure Statement Transmittal Letter
- ☐ Request for Corrected Notice of Recordation of Assignment w/copy of Notice
- ☒ Request for Continued Examination

- ☒ Check for \$ 1,280 is enclosed
- ☐ Check for \$ is enclosed
- ☐ Charge \$ to Deposit Account
- ☐ Issue Fee Transmittal
- ☐ Payment of Issue Fee and Authorization to charge Deposit Account
- ☐ Request for Refund
- ☐ Status Inquiry
- ☐ Request for Corrected Filing Receipt w/copy of Official Filing Receipt
- ☐
- ☐
- ☐



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(05/03)

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BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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160868

NO. 160868 DATE Sep 9/03 AMOUNT \$1,280.00**

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BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Mark Bell
Albra L. Nauman

⑈ 160868 ⑈ ⑈ 055002707⑈ 202988260⑈

⑈ 0000128000⑈



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Patent
Attorney's Docket No. 019519-280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Nobuyuki KITA

Application No.: 09/739,006

Filed: December 19, 2000

For: HEAT-SENSITIVE LITHOGRAPHIC
PRINTING PLATE PRECURSOR

)
) Group Art Unit: 1752

)
) Examiner: B. Gilliam

)
) Confirmation No.: 2793

**REQUEST FOR CONTINUED EXAMINATION
TRANSMITTAL LETTER**

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer No. **21839**

Sir:

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the
[] \$375.00 (2801) [X] \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).

1. [X] A. Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified in item 2 below.

[] B. Applicant(s) previously submitted the following documents for which continued examination is requested:

[] Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on .

[] Consider the arguments in the Appeal Brief or Reply Brief previously filed on .

[] Other: _____

2. The following documents are enclosed with this submission:

[X] Amendment/Reply.

[] Affidavit(s)/Declaration(s).

[] Information Disclosure Statement (IDS).

[X] Petition for Extension of Time.

[] Other: _____

3. [] Small entity status is hereby claimed.

[X] No additional claim fee is required.

[] The fee is calculated below on the basis of the highest number of claims already paid for in this application prior to this submission:

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filed 9/19/02 GY @13

(05/03)

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CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS THUS PAID FOR	EXTRA CLAIMS	RATE	FEE
Basic Fee					\$750.00 (1001)
Total Claims	11	MINUS 20 =	0	$\times \$18.00 (1202) =$	
Independent Claims	1	MINUS 3 =	0	$\times \$84.00 (1201) =$	
If multiple dependent claims are presented, add \$280.00 (1203)					
Total Fee					\$750
If small entity status is claimed, subtract 50% of Total Fee					
TOTAL FEE DUE					\$750

4. ☒ A check in the amount of \$ 750 is enclosed for the fee due.
5. ☐ Charge \$ _____ to Deposit Account No. 02-4800 for the fee due.
6. ☐ Applicant(s) requests suspension of action by the Office until at least __, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: September 9, 2003

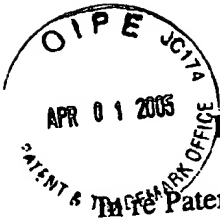
By: Robert G. Mukai
 Robert G. Mukai
 Registration No. 28,531

P.O. Box 1404
 Alexandria, Virginia 22313-1404
 (703) 836-6620

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Patent

Attorney's Docket No. 019519-280



Patent Application of

Nobuyuki KITA

Application No.: 09/739,006

Filed: December 19, 2000

For: HEAT-SENSITIVE LITHOGRAPHIC
PRINTING PLATE PRECURSOR

)
)
) Group Art Unit: 1752
)
) Examiner: B. Gilliam
)
) Confirmation No.: 2793
)

AMENDMENT

Mail Stop: RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In view of the Request for Continued Examination concurrently filed herewith,
please amend the above-identified patent application as follows:

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filed 9/9/03 *GT*

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Attorney's Docket No. 019519-280
Page 2

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS:

1. (Currently Amended) A heat-sensitive lithographic printing plate precursor having on a support (1) an ink-receptive layer comprising an oleophilic organic high molecular compound, ~~and~~ (2) a water-receptive layer easily allowing removal by a fountain solution or a printing ink when heated, which are arranged in this order and (3) an overcoat layer on the water-receptive layer: said water-receptive layer being a layer formed using a coating solution comprising a solvent capable of dissolving the organic high molecular compound of the ink-receptive layer in a proportion of 1 to 40 weight % of the total solvents in the coating solution.
2. (Original) The heat-sensitive lithographic printing plate precursor as in claim 1, wherein the water-receptive layer comprises a hydrophilic resin and a colloid of oxide or hydroxide of at least one element selected from the group consisting of beryllium, magnesium, aluminum, silicon, titanium, boron, germanium, tin, zirconium, iron, vanadium, antimony and transition metals.
3. (Original) The heat-sensitive lithographic printing plate precursor as in claim 2, wherein the hydrophilic resin is contained in a proportion of 0.1 to 30 weight % to the total solid components in the water-receptive layer.

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4. (Original) The heat-sensitive lithographic printing plate precursor as in claim 2, wherein the hydrophilic resin is a hydroxyalkyl acrylate homopolymer, a hydroxyalkyl acrylate copolymer, a hydroxyalkyl methacrylate homopolymer or a hydroxyalkyl methacrylate copolymer.

5. (Original) The heat-sensitive lithographic printing plate precursor as in claim 1, wherein the water-receptive layer has a thickness of from 0.1 μm to 3 μm .

6. (Original) The heat-sensitive lithographic printing plate precursor as in claim 1, wherein the solvent capable of dissolving the organic high molecular component is selected from the group consisting of alcohols, ethers, ketones, esters, amides, γ -butyrolactone, methyl lactone and ethyl lactone.

7. (Previously Presented) The heat-sensitive lithographic printing plate precursor as in claim 1, wherein the water-receptive layer containing solution contains a mixture of solvents including alcohol as a main solvent and the solvent capable of dissolving the organic high molecular compound of the ink-receptive layer.

8. (Canceled)

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9. (Currently Amended) The heat-sensitive lithographic printing plate precursor as in claim 8 1, wherein the overcoat layer is water-soluble overcoat layer which is removed upon printing.

10. (Currently Amended) The heat-sensitive lithographic printing plate precursor as in claim 8 1, wherein the overcoat layer contains a compound capable of converting light to heat.

11. (Previously Presented) The heat-sensitive lithographic printing plate precursor as in claim 2, wherein the hydrophilic resin contained in the water-receptive layer does not contain a cross-linking agent and is not cross-linked.

REMARKS

In the final Official Action dated March 20, 2003, the Examiner raised various prior art rejections. Of these rejections, claims 8 and 9 were only rejected under 35 U.S.C. §103(a) over the combination of DeBoer et al., U.S. Patent No. 6,110,645, and Inno et al., U.S. Patent No. 6,500,599. Claim 10 was only objected to and was stated as being allowable if rewritten in independent form.

By the present Amendment, the subject matter of claim 8 has been incorporated into claim 1, claim 8 has been accordingly canceled without prejudice or disclaimer and the dependencies of claims 9 and 10 have been changed from claim 8 to claim 1. While applicant sincerely appreciates the indication of the allowability of claim 10, applicant respectfully submits that claim 1 and all the claims which depend therefrom are now in allowable form. As pointed out in the remarks of Amendment filed on August 6, 2003, Inno et al. is only superficially available as "prior art" under 35 U.S.C. §102(e), and applicant again respectfully points out that applicant was under an obligation of assignment to the same assignee of Inno et al. at the time the present invention was made.¹ Accordingly, in view of the provisions of 35 U.S.C. §103(c), Inno et al. is not available as "prior art" in a rejection under 35 U.S.C. §103(a) and amended claim 1 (which now includes the subject matter of claim 8) and the claims depending therefrom are not subject to any of the "prior art" rejections set forth in final Action.

¹ It is again noted that in accordance with the provisions of MPEP §706.02(1)(2), this statement should be sufficient to establish common ownership.

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With respect to the subject matter of claim 11, applicant notes that such claim encompasses the embodiment wherein the hydrophilic resin in the water-receptive layer does not contain a cross-linking agent and is not cross-linked which is consistent with the teachings of the specification, such as the passage on pages 19 and 20 and the Examples which do not include a cross-linking agent in the water-receptive layer and which include a non-cross-linked hydrophilic resin.

As to the technical literature excerpt provided with the previous response, pursuant to the Examiner's suggestion in the Advisory Action dated August 21, 2003, concurrently filed herewith is an additional Information Disclosure Statement with a further copy of the document.

Since all matters are believed to be resolved by the instant Amendment and the concurrently filed documents, applicant respectfully requests reconsideration and allowance of the present application.

Should the Examiner wish to discuss any aspect of the present application, she is invited to contact the undersigned attorney at the number provided below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Robert G. Mukai
Robert G. Mukai
Registration No. 28,531

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: September 9, 2003